

CAUSE NO. 2019-50836

COKINOS | YOUNG, A
PROFESSIONAL CORPORATION,

Plaintiff,

v.

BRITTANY O'BRIEN,

Defendant.

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IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

113TH JUDICIAL DISTRICT

AGREED PERMANENT INJUNCTION AND FINAL JUDGMENT

On this day, the Court considered the Agreed Motion of Plaintiff Cokinos | Young, A Professional Corporation and Defendant Brittany O'Brien for entry of an Agreed Permanent Injunction and Final Judgment. The Court finds and holds that the Agreed Motion should be **GRANTED** and that a permanent injunction should issue on the terms specified below and a final judgment entered in the above-captioned case (the "Lawsuit").

IT IS THEREFORE **ORDERED** that Defendant O'Brien, per her agreement, is hereby permanently restrained as follows:

- a. O'Brien is permanently RESTRAINED from disclosing, transferring, or using confidential and trade-secret: (1) lists of private contact information from Cokinos Young's past, current, or prospective clients that she obtained directly or indirectly as part of her employment at Cokinos Young; (2) lists or other written communications identifying prospective clients obtained directly or indirectly as part of her employment at Cokinos Young; (3) the nature of prospective or potential Cokinos Young matters that were being handled by Cokinos Young but not yet publicly filed; and (4) business, financial, and marketing plans, whether in the formal written plans or informal communications (e.g., emails) obtained directly or indirectly by virtue of her employment at Cokinos Young. The foregoing restraint is limited to confidential or trade secret lists or information obtained by O'Brien through her employment with Cokinos Young; however, nothing herein is intended to preclude O'Brien from using or obtaining the same or similar lists or information prepared or assembled by or obtained from sources other than Cokinos Young.

EXHIBIT

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Nothing precludes O'Brien from associating with or contacting people whose personal or contact information is obtained independently of any confidential information of Cokinos Young, as set forth by Exhibits 1 and 2. O'Brien will not use any confidential information obtained directly or indirectly from her employment at Cokinos Young, such as set forth by Exhibits 1 and 2. Without limiting the foregoing, nothing herein precludes O'Brien from communicating with individuals or companies that contact her, nor is this Order intended to preclude O'Brien from responding to inquiries that are initiated by someone else. The foregoing sentence does not allow O'Brien to ask or tell a third party to have a person contact her.

- b. O'Brien is **ORDERED** to return all confidential information or trade secrets belonging to Cokinos Young, to the extent she has any, including:
- a. Promotional or marketing materials for Cokinos Young in draft form or that have not yet been released;
 - b. All documents that she used as part of her work as Director of Client and External Relations for Cokinos Young, and
 - c. Return or delete all private contact information for Cokinos Young's past, current, or prospective clients that she obtained as part of her work as Director of Client and External Relations, other than those individuals who contact her, including but not limited to any flash drives, if any, containing any such information, and any cell phone numbers of clients or potential clients in her possession.

It is further **ORDERED**:

- (1) The Parties' claims against one another are dismissed with prejudice. This shall not, however, be construed as negating the terms of the Permanent Injunction, to which the Parties agree;
- (2) This is a final judgment that disposes of all claims in this lawsuit, including all claims that were raised or could have been raised in this lawsuit by any Party;
- (3) All Parties shall bear their own costs and attorneys' fees; and
- (4) This Court retains jurisdiction to enforce this Permanent Injunction and Final Judgment.

SIGNED this ____ day of _____, 2019.

Signed:
10/9/2019



HON. RABEEA COLLIER
113th DISTRICT COURT

Unofficial Copy Office of Marilyn Burgess District Clerk